

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 19, 2009
SAN FRANCISCO, CALIFORNIA**

S024833**PEOPLE v. FARLEY
(RICHARD WADE)**

Rehearing denied

Kennard, J., was recused and did not participate.

S154847

H028798 Sixth Appellate District

**PEOPLE v. NGUYEN (VINCE
VINHTUONG)**

Rehearing denied; opinion modified

Kennard, J., is of the opinion the petition should be granted.

S154847

H028798 Sixth Appellate District

**PEOPLE v. NGUYEN (VINCE
VINHTUONG)**

Opinion modified - no change in judgment

S173490

B207812 Second Appellate District, Div. 5

PEOPLE v. ZAMBIA (JOMO)

Petition for review granted

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S173586

D052181 Fourth Appellate District, Div. 1

**STATE BUILDING &
CONSTRUCTION TRADES
COUNCIL OF CALIFORNIA,
AFL-CIO v. CITY OF VISTA**

Petition for review granted

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S173860

B202997 Second Appellate District, Div. 8

**DICON FIBEROPTICS, INC.
v. FRANCHISE TAX BOARD**

Petition for review granted

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S162647 H030272 Sixth Appellate District

**SAN JOSE, CITY OF v.
OPERATING ENGINEERS
LOCAL UNION NO. 3**

Supplemental briefing ordered

The court requests the Public Employment Relations Board to serve and file an amicus curiae brief in this case. The brief is to be served and filed on or before September 18, 2009. An answer to that brief may be served and filed by any party within twenty days of the filing of the brief.

S174836 G040320 Fourth Appellate District, Div. 3

**PEOPLE v. ALDANA
(DANIEL HERMAN)**

Review granted on court's motion; briefing deferred

Review is ordered on the court's own motion.

Further action in this matter is deferred pending consideration and disposition of a related issue in *Stark v. Superior Court*, S145337 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S145775 B188106 Second Appellate District, Div. 3

**PFIZER, INC. v. S.C.
(GALFANO)**

Transferred to Court of Appeal, Second Appellate District, Division Three, after hold

The above-entitled cause is hereby transferred to the Court of Appeal, Second District, Division Three, with directions to vacate its decision and to reconsider in light of *In re Tobacco II* (2009) 46 Cal.4th 298.

Chin and Corrigan, JJ., were recused and did not participate.

Votes: George, C. J., Kennard, Baxter, Werdegarr, and Moreno, JJ.

S154088 C051841 Third Appellate District

**MCADAMS (TIM) v.
MONIER, INC.**

Transferred to Court of Appeal, Third District, after hold

The above-entitled cause is hereby transferred to the Court of Appeal, Third District, with directions to vacate its decision and to reconsider in light of *In re Tobacco II* (2009) 46 Cal.4th 298.

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S172970 C053450 Third Appellate District

**PEOPLE v. GEORGE (ROY
LEE)**

Petitions for review denied

S173287	E045541 Fourth Appellate District, Div. 2	HEALTH FIRST v. MARCH JOINT POWERS AUTHORITY (TESCO STORES WEST, INC.)
Petition for review denied		
S173324	E041712 Fourth Appellate District, Div. 2	STABEN (LEE) ON H.C.
Petition for review denied		
The request for judicial notice is granted.		
S173462	A121800 First Appellate District, Div. 2	KLER (KLUDIP S.) ON H.C.
Petition for review denied		
The request for judicial notice is granted.		
S173464	A113056 First Appellate District, Div. 4	PEOPLE v. MERE (JOSE ANTONIO)
Petitions for review & publication request(s) denied		
The request for an order directing partial-publication of the opinion is denied.		
S173494	D053239 Fourth Appellate District, Div. 1	PEOPLE v. COFFIN (MARK ELLIOT)
Petition for review denied		
S173551	B202960 Second Appellate District, Div. 3	PEOPLE v. PEOPLES (KENNETH)
Petitions for review denied		
S173576	C061860 Third Appellate District	PEOPLE v. S.C. (COOK)
Petition for review denied		
Baxter and Chin, JJ., are of the opinion the petition should be granted.		
S173579	C056491 Third Appellate District	PEOPLE v. WATTS (CHICO ROMERO)
Petition for review denied		

S173701 C056278 Third Appellate District

Petition for review denied

**PEOPLE v. SANDHU
(RUPINDER SINGH)**

S173730 B214811 Second Appellate District, Div. 8

Petition for review denied

**MURRAY (CHRISTOPHER)
ON H.C.**

S173757 B214097 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was recused and did not participate.

**HAMILTON (DONALD
RUSSELL) ON H.C.**

S173759 B213766 Second Appellate District, Div. 1

Petition for review denied

George, C. J., was recused and did not participate.

**HAMILTON (DONALD
RUSSELL) ON H.C.**

S173766 B208281 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GARCIA, JR.,
(BENJAMIN FRED)**

S173773 A119698 First Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HARDIN (WILLIE
LEE)**

S173792 G040219/G040258 Fourth Appellate District, Div. 3 **A.V., IN RE**

Petition for review denied

Moreno, J., is of the opinion the petition should be granted.

S173797 F057545 Fifth Appellate District

Petition for review denied

HARP (HAROLD) ON H.C.

S173800 B216236 Second Appellate District, Div. 2

Petition for review denied

**WILLIAMS (PATRICK) ON
H.C.**

S173804 B216284 Second Appellate District, Div. 5

Petition for review denied

**JONES (LEVAR EMERSON)
ON H.C.**

S173806 A120992 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MROZEK (ADAM
D.)**

S173816 A124909 First Appellate District, Div. 5

Petition for review denied
The request for judicial notice is granted.

**GEORGE (BRIAN KEATON)
ON H.C.**

S173818 H031968 Sixth Appellate District

Petition for review denied

**PEOPLE v. SHAFFER
(DAVID)**

S173841 E045493 Fourth Appellate District, Div. 2

Petition for review & publication request(s) denied

**SULLIVAN'S STONE
FACTORY, INC. v. STATE
COMPENSATION
INSURANCE FUND**

S173870 C057256 Third Appellate District

Petition for review denied

**PEOPLE v. BARMBY
(SHANEEN)**

S173873 C058148 Third Appellate District

Petition for review denied

**PEOPLE v. SMITH
(CHARLES RAY)**

S173874	B216216 Second Appellate District, Div. 3	GUZMAN (JOSE) ON H.C.
Petition for review denied		
S173881	B216426 Second Appellate District, Div. 6	GARREN (PAUL LEE) ON H.C.
Petition for review denied		
S173890	B215627 Second Appellate District, Div. 4	DOSS (ROY LEE) ON H.C.
Petition for review denied		
S173901	B215348 Second Appellate District, Div. 8	ASHER (JOHN) v. S.C. (PEOPLE)
Petition for review denied		
S173937	A117321/A118257 First Appellate District, Div. 2	HOGAN (VICTORIA) v. DEANGELIS CONSTRUCTION, INC.
Petition for review & publication request(s) denied		
S173978	C057745 Third Appellate District	PEOPLE v. JOHNSON (PAUL STEPHEN)
Petition for review denied		
S173981	B206079 Second Appellate District, Div. 3	PEOPLE v. GREENWOOD (CICERO)
Petition for review denied		
S173985	B216484 Second Appellate District, Div. 2	ALLEN (SARA) v. S.C. (PEOPLE)
Petition for review denied		
S173999	A121824 First Appellate District, Div. 1	PEOPLE v. TUUHETOKA (MARCUS MASELLUS)
Petition for review denied		

S174007 F054821 Fifth Appellate District

Petition for review denied

**PEOPLE v. RADER
(THOMAS)**

S174023 A125026 First Appellate District, Div. 1

Petition for review denied

**255 STEINER LLC. v. S.C.
(SUNGA)**

S174047 E044571 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GONZALEZ
(HENRIQUE CASTRO)**

S174053 H034288 Sixth Appellate District

Petition for review denied

**ORTIZ (LOUIS) v. S.C.
(PEOPLE)**

S174065 C056334 Third Appellate District

Petition for review denied

**PEOPLE v. WARE (RICKY
LEE)**

S174073 A124166 First Appellate District, Div. 2

Petition for review denied

RAY (JOHN) ON H.C.

S174093 F054663 Fifth Appellate District

Petition for review denied

**PEOPLE v. PIZANO, JR.,
(JUAN JOSE)**

S174097 B213473 Second Appellate District, Div. 1

Petition for review denied

**DILLON (HOLLIS) v.
WORKERS'
COMPENSATION APPEALS
BOARD (INGLEWOOD
UNIFIED SCHOOL
DISTRICT)**

S174221 B204712 Second Appellate District, Div. 5

**EMPLOYERS INSURANCE
COMPANY OF WASSAU v.
PACIFIC EMPLOYERS
INSURANCE COMPANY**

Petition for review denied

Chin and Corrigan, JJ., were recused and did not participate.

S174261 B213816 Second Appellate District, Div. 5

**LEE (JERRY) v. S.C. (AT&T
WIRELESS SERVICES, INC.)**

Petition for review denied

Baxter and Werdegarr, JJ., were recused and did not participate.

S174262 B208161 Second Appellate District, Div. 1

**CHODOS (HILLEL) v.
WELLS FARGO BANK, N.A.**

Petition for review denied

Baxter, Chin and Corrigan, JJ., were recused and did not participate.

S174339 B211379 Second Appellate District, Div. 3

**PEOPLE v. ADAME (JAIME
PARAMO)**

Petition for review denied

S174377 B205329 Second Appellate District, Div. 3

**PEOPLE v. OQUENDO (MIKE
ANGEL)**

Petition for review denied

S174381 A120417 First Appellate District, Div. 5

**PEOPLE v. IVORY, JR.,
(PRENTIST)**

Petition for review denied

S174388 C062003 Third Appellate District

**MCGEE (JEFFERSON A.) v.
S.C. (MCGEE)**

Petition for review denied

S174392 B208192 Second Appellate District, Div. 8

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

**VAUGHN, JR., (JOHN) v. LJ
INTERNATIONAL, INC.**

S174398 A125196 First Appellate District, Div. 4

Petition for review denied

Kennard and Chin, JJ., were recused and did not participate.

**GAINES (THOMAS B.) v. S.C.
(JOHNSON & JOHNSON)**

S174406 B195083 Second Appellate District, Div. 4

Petition for review denied

**JAZAYERI (MAHSHID) v.
MAO (DENNIS)**

S174436 E044071 Fourth Appellate District, Div. 2

Petition for review denied

**MORANA (PATRICIA) v.
CITY OF SAN BERNARDINO**

S174451 F055744 Fifth Appellate District

Petition for review denied

**PEOPLE v. JONES (RYAN
FITZGERALD)**

S174467 B206172 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BROWN (MARK
A.)**

S174474 C061771 Third Appellate District

Petition for review denied

**JOY (DENNIS) v. WORKERS'
COMPENSATION APPEALS
BOARD (CITY OF
WOODLAND)**

S174493 B208096 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MONCADA
(SALVADOR A.)**

S174497 H032436 Sixth Appellate District

Petition for review denied

**LEE (CHING CHING) v. KUO
(MALI)/(CHANG)**

S174526 B208472 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. MILLER
(WILLIAM BOYD)**

S174527 F057351 Fifth Appellate District

Petition for review & application for stay denied

**CORONA (EDDIE GUSTAVO)
v. S.C. (PEOPLE)**

S174567 B207351 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DANIELSON
(RANDAL ROBERT)**

S174582 C060121 Third Appellate District

Petition for review denied

**PEOPLE v. COLLINS
(TOMMY SHANE)**

S174584 D051792 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BROWN
(DARRELL ANGELO)**

S174585 B208943 Second Appellate District, Div. 1

Petition for review denied

**KEMPTON (KIMBERLY) v.
COOPER (CAROLYN)**

S174588 H032942 Sixth Appellate District

Petition for review denied

**PEOPLE v. GONZALEZ
(NARCISO ESTRADA)**

S174592 E045143 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MCARDLE
(MICHAEL J.)**

S174598 D053845 Fourth Appellate District, Div. 1
Petition for review denied

C. (COLE), IN RE

S174599 A121091 First Appellate District, Div. 5
Petition for review denied

**PEOPLE v. FLITCROFT
(CALEB JAMES)**

S174606 B217081 Second Appellate District, Div. 1
Petition for review denied

**AREF (LAILA) v. S.C.
(HASSAN)**

S174608 B204195 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. PEREZ (VICTOR
SILVERIO)**

S174611

**LYONS (RICHARD) v.
COURT OF APPEAL,
SECOND APPELLATE
DISTRICT, DIVISION TWO
(WAWANESA GENERAL
INSURANCE COMPANY)**

Petition for writ of mandate/prohibition denied

S174613 F055230 Fifth Appellate District

**FISHER (JENIFER) v.
HOUSING AUTHORITY OF
THE CITY OF FRESNO**

Petition for review denied

S174617 B208484 Second Appellate District, Div. 3

**PEOPLE v. VALENZUELA
(ALFREDO RENE)**

Petition for review denied

S174618 G040149 Fourth Appellate District, Div. 3

**PEOPLE v. BELTRAN
(MARCOS)**

Petition for review denied

S174624

Petition for writ of review & application for stay denied

S174628 C056905 Third Appellate District

Petition for review denied

S174632 B204887 Second Appellate District, Div. 8

Petition for review denied

S174641

Petition for writ of mandate/prohibition denied

S174643 B208582 Second Appellate District, Div. 6

Petition for review denied

S174656 E046252 Fourth Appellate District, Div. 2

Petition for review denied

S174665 B203498 Second Appellate District, Div. 3

Petition for review denied

S174668 E045718 Fourth Appellate District, Div. 2

Petition for review denied

**REA 2003 1 LLC. v.
DEPARTMENT OF
ALCOHOLIC BEVERAGE
CONTROL****PEOPLE v. COLDING
(RICKY MCCLAIN)****BIER (STEPHEN) v.
GRODSKY & OLECKI LLP.****GONZALEZ (DANIEL E.) v.
COURT OF APPEAL, THIRD
APPELLATE DISTRICT
(BEYER, PONGRATZ &
ROSEN)****PEOPLE v. CONTRERAS
(JOHNNY CHALO)****PEOPLE v. RATHER
(DONALD EDWARD)****PEOPLE v. GALLEGOS
(JOSE MANUEL)****PEOPLE v. JIMENEZ
(HECTOR)**

S174670 B207851 Second Appellate District, Div. 5
Petition for review denied

**PEOPLE v. THOMAS
(LAFLEMIKO SHANTA)**

S174672 A121878 First Appellate District, Div. 4
Petition for review denied

**PEOPLE v. NAVARRO (LUIS
SANDOVAL)**

S174677 C059153 Third Appellate District
Petition for review denied

**PEOPLE v. MURPHY
(GREGORY ADONIS)**

S174678 E045716 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. RESENDIZ
(ELISEO)**

S174685 E048641 Fourth Appellate District, Div. 2
Petition for review denied

**WYATT (DAVID A.) v. S.C.
(PEOPLE)**

S174688 E045008 Fourth Appellate District, Div. 2
Petition for review denied

**PEOPLE v. CHAISSON (KIM
RAY)**

S174689 B209777 Second Appellate District, Div. 2
Petition for review denied

**PEOPLE v. MILLAN
(DANIEL)**

S174690 B211507 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. HANLEY
(GREGORY)**

S174691

Petition for writ of mandate/prohibition denied

BARNES (JONATHAN JAMES) v. COURT OF APPEAL, SECOND APPELLATE DISTRICT (PEOPLE)**S174693** A122477 First Appellate District, Div. 2

Petition for review denied

PEOPLE v. WEATHERSPOON (KARL)**S174700** H032307 Sixth Appellate District

Petition for review denied

PEDAGAT (HERNANDO R.) v. MARTIN (QUITA)**S174704** F055671 Fifth Appellate District

Petition for review denied

PEOPLE v. DIAZ (MARIANO NUNEZ)**S174717** B208971 Second Appellate District, Div. 7

Petition for review denied

PEOPLE v. DUMAS (JAMAE)**S174727**

Petition for writ of mandate/prohibition denied

HASTINGS (MAURICE) v. S.C. (PEOPLE)**S174729** E042889 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. LOPEZ (JOHNNY)**S174746** A125402 First Appellate District, Div. 3

Petition for review & application for stay denied

MANOS (CAPRICE) v. S.C. (PEOPLE)

S174791 C057202 Third Appellate District

Petition for review denied

**HASSAN (ALLEN C.) v.
STATE OF CALIFORNIA**

S174935 D053908 Fourth Appellate District, Div. 1

Petition for review denied

**HARRIS (KEITH) v.
METROPOLITAN TRANSIT
SYSTEM**

S175021 D053814 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. LEWIS (ALEX
STEVEN)**

S175553 B218087 Second Appellate District, Div. 2

Petition for review & application for stay denied
George, C. J., was recused and did not participate

**MARCIANO (GEORGES) v.
FAHS (JOSEPH)**

S147647

MICHAELS (KURT) ON H.C.

The petition for writ of habeas corpus filed on October 27, 2006, is denied. All claims are denied on the merits.

With the exception of claim 1 (ineffective assistance of appellate counsel), all claims are, separately and independently, denied as untimely (*In re Robbins* (1998) 18 Cal.4th 770; *In re Clark* (1993) 5 Cal.4th 750) and successive (*In re Robbins, supra*, at p. 788, fn. 9; *In re Clark, supra*, at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547).

Claims 2, 3, 4, 5, 6, 9, 10, 11, and 14 are, separately and independently, denied on the ground that they could have been raised in petitioner's previous petition for writ of habeas corpus. (*In re Clark, supra*, 5 Cal.4th at pp. 767-768.)

Except insofar as petitioner asserts ineffective assistance of counsel, claims 7, 8, 13, and 15 are, separately and independently, denied on the ground that they could have been raised on appeal. (*In re Harris* (1993) 5 Cal.4th 813, 825, fn. 3, 829-841; *In re Dixon* (1953) 41 Cal.2d 756, 759.) Insofar as these claims assert ineffective assistance of counsel, these claims are, separately and independently, denied on the ground that they could have been raised in petitioner's previous petition for writ of habeas corpus. (*In re Clark, supra*, 5 Cal.4th at pp. 767-768.)

Claim 12 is, separately and independently, denied because it reiterates a claim of error that was raised on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Insofar as it alleges trial court error, Claim 13 is, separately and independently, denied because it reiterates a claim that was raised in petitioner's previous petition for writ of habeas corpus. (*In re Miller* (1941) 17 Cal.2d 734, 735.)

S147749**HOLLOWAY (DUANE) ON
H.C.**

The petition for writ of habeas corpus, filed October 30, 2006, is denied.

All claims are denied on the merits.

With the exception of claims 32, 33, and 35, all claims are denied as untimely. (*In re Robbins* (1998) 18 Cal.4th 770, 799, fn. 21; *In re Clark* (1993) 5 Cal.4th 750, 782-787.)

Except insofar as they allege ineffective assistance of counsel, claims 1 (subclaims D and E (with respect to Edmonds's request during trial)), 6 (subclaims A-D and F), 7 (subclaims B, E, and F), 8, 10 (subclaim B), 11-17, 21 (subclaims A and C), 22-26, 28, 29, and 34 are denied on the ground that these claims were raised and rejected on appeal. (*In re Harris* (1993) 5 Cal.4th 813, 829-841; *In re Waltreus* (1965) 62 Cal.2d 218, 225.)

Claims 1 (subclaims B, E (with respect to Edmonds's comment during deliberations), and G), 5 (subclaims E(2), F(1), F(3), and J), 6 (subclaims E and G), 19 (regarding the claim that trial counsel failed to develop and investigate mental health issues), and 20 are denied on the ground that these claims were raised and rejected in petitioner's prior petition for writ of habeas corpus (S117268). (*In re Miller* (1941) 17 Cal.2d 734, 735.)

Claims 1 (subclaims A, C, D (regarding the claim trial counsel provided ineffective assistance of counsel), and F), 2-4, 5 (with the exception of subclaims E(2), F(1), F(3), and J), 6 (subclaims A-D (regarding the claim trial counsel provided ineffective assistance of counsel) and F (same)), 7-17, 19 (with the exception of the claim that trial counsel failed to develop and investigate mental health issues), 21-29, and 34 are denied on the ground that they are successive, as they could have been raised in petitioner's prior petition for writ of habeas corpus (S117268) but were not. (*In re Robbins, supra*, 18 Cal.4th at p. 788, fn. 9; *In re Clark, supra*, 5 Cal.4th at pp. 767-768; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.)

Except insofar as they allege ineffective assistance of counsel, claims 3, 4, 7 (subclaims A, C, and D), 9, 10 (subclaim A), 21 (subclaim B), and 27 are denied on the ground that they could have been raised on appeal but were not. (*In re Harris, supra*, 5 Cal.4th at pp. 825 & fn. 3, 826-829; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

To the extent claim 13 alleges insufficiency of the evidence, it is not cognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)

S164550**MARQUEZ (HELENA
SANCHEZ) ON H.C.**

The petition for writ of habeas corpus is denied.

S169538**WEST (MICHAEL TYRONE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S170825**CASEY (KENNETH) ON H.C.**

The petition for writ of habeas corpus is denied.

S171061**WEEKS (ARTHUR) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S171271**MARTINEZ (PAUL ISAAC)
ON H.C.**

The petition for writ of habeas corpus is denied.

S171281**SYKES (MILTON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S171313**THOMPSON (RONALD) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S171417**HENDERSON (LAVADIS
NICONDA) ON H.C.**

The petition for writ of habeas corpus is denied.

S171421**FUNK (RUSSELL WAYNE)
ON H.C.**

The petition for writ of habeas corpus is denied.

S171452**DOWN (EARL HENRY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S171455**FARR (JOHN HENRY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S171466**HENDERSON (RODNEY
WAYNE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S171475**GIECK (DENNIS MICHAEL)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S171480**CHAN (DENNIS) ON H.C.**

The petition for writ of habeas corpus is denied.

S171484**TRUAX (DONALD JOSEPH)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S171489**MARKHAM (CHRISTOPHER
GEORGE) ON H.C.**

The petition for writ of habeas corpus is denied.

S171501**BROWN (CEDRICK RAY) ON
H.C.**

The petition for writ of habeas corpus is denied.

S171504**SANBORN (DONALD
EDWARD) ON H.C.**

The petition for writ of habeas corpus is denied.

S171544**ALSTON (SHUNDRAY
WEBSTER) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S171545**THOMPSON (CURTIS LEE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S171547**JOHNSON (PETER JACOB)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S171559**ELLIS (REIGH) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S171562**MCMILLAN (EDWIN D.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S171595**HAMMONDS (RICKY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S171631**CARRASCO (MIGUEL) ON
H.C.**

The petition for writ of habeas corpus is denied.

S171636**WORTHY (STACY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

S171661**JIMENEZ (BERNAL JAVIER)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

S171740**BRUMFIELD (JOHN) ON H.C.**

The petition for writ of habeas corpus is denied.

S171744**PACHECO (JOSE H.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S171766**HEIDELBERG, SR., (LARON)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

S171768**SHEPPARD (CALVIN D.) ON
H.C.**

The petition for writ of habeas corpus is denied.

S171772**MENCHACA (STEPHEN) ON
H.C.**

The petition for writ of habeas corpus is denied.

S171780**LITTLEMOON (JOSPEH
EUGENE) ON H.C.**

The petition for writ of habeas corpus is denied.

S171795**ANDERSON (KEVIN) ON H.C.**

The petition for writ of habeas corpus is denied.

S171797**WHITE (BERNARD
ANDREW) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S171798**DARBY (THOMAS ALLEN)
ON H.C.**

The petition for writ of habeas corpus is denied.

S171805**GARCIA (JAIME ZAVALA)
ON H. C.**

The petition for writ of habeas corpus is denied.

S171808**CLOUD (MARCELL) ON H.C.**

The petition for writ of habeas corpus is denied.

S171812**GARCIA (CARLOS) ON H.C.**

The petition for writ of habeas corpus is denied.

S171840**QUILALANG (ROGER
WINSTON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)

S171856**LAWS (HARRY DARNELL)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S171868**EVANS (CHESLEY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756.)

S171898**COATS (WILLIAM THOMAS)
ON H.C.**

The petition for writ of habeas corpus is denied.

S171912**CASTILLO (MANUEL) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S171915**SMITH, JR., (KEVIN B.) ON
H.C.**

The petition for writ of habeas corpus is denied.

S171922**DIAZ (CESAR) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

S171927**WILES (MICHAEL ALLEN)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218.)

S171934**TRUBY (JOSEPH ALLEN) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dexter* (1979) 25 Cal.3d 921.)

S171959**DUBYAK (SAMUEL A.) ON
H.C.**

The petition for writ of habeas corpus is denied.

S171961**LATRE (REYNALDO
ARNALDO) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

S171975**BAINES (PHILLIP) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S172481**PERRY (JOHN A.) ON H.C.**

The petition for writ of habeas corpus is denied.

S172541**PEAVY (GARY L.) ON H.C.**

The petition for writ of habeas corpus is denied.

S172567**ALSTON (SHUNDRAY
WEBSTER) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S172674**GARBER (ERICK C.) ON H.C.**

The petition for writ of habeas corpus is denied.

S172905**TAYLOR (RALPH ANTONIO)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S173292**PEAVY (GARY L.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S173321**HAWKINS III (HOMER E.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)

S173619**CERVANTES (JOSE H.) ON
H.C.**

The petition for writ of habeas corpus is denied.

S174354**NAPPER, JR., (ERNEST) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S174737**KING (WILLIAM) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

S174796**OBERPRILLER (WILLIAM)
ON H.C.**

The petition for writ of habeas corpus is denied.

S174832**HAMMOND (WILLIAM
GREGORY) ON H.C.**

The petition for writ of habeas corpus is denied.

S174880

The petition for writ of habeas corpus is denied.

RYAN (STEPHEN R.) ON H.C.**S174962**

The petition for writ of habeas corpus is denied.

VONG (PHUOC) ON H.C.**S174964**

The petition for writ of habeas corpus is denied.

**TAYLOR (RALPH ANTONIO)
ON H.C.****S162019**

D049350 Fourth Appellate District, Div. 1

**BRAND (LARRY) v.
REGENTS OF THE
UNIVERSITY OF
CALIFORNIA**

Publication requests denied (case closed)

S172901

B207453 Second Appellate District, Div. 1

**FLORES (RENE) v. AXXIS
NETWORK &
TELECOMMUNICATIONS,
INC.**

Depublication request denied (case closed)

S174199

H033302 Sixth Appellate District

**BRAUGHTON (ROD) v.
NMHCS**

Publication request denied (case closed)

S174207

B205343 Second Appellate District, Div. 3

**OLVERA (CARLOS) v. EL
POLLO LOCO, INC.**

Depublication request denied (case closed)

The case will not be reviewed on the court's own motion. The matter is now final.

S174297

A123748 First Appellate District, Div. 5

**SEINFELD (SAMANTHA) v.
GL PREMIER PROPERTIES
LLC.**

Publication request denied (case closed)

S174596 G040446 Fourth Appellate District, Div. 3 **PEOPLE v. STUMP (JOHN LEROY)**

Depublication request denied (case closed)

The case will not be reviewed on the court's own motion. The matter is now final.

S171163 B202289 Second Appellate District, Div. 5 **PEOPLE v. CASTILLO (JAVIER)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file the Appellant's Opening Brief on the Merits is extended to August 29, 2009.

S171442 B194209 Second Appellate District, Div. 3 **LU (LOUIE HUNG KWEI) v. HAWAIIAN GARDENS CASINO, INC.**

Extension of time granted

On application of Respondent Hawaiian Gardens Casino and good cause appearing, it is ordered that the time to serve and file the Answer Brief on the Merits is extended to October 30, 2009.

S127119 **PEOPLE v. GIVENS (TODD)**

Counsel appointment order filed

Upon request of appellant for appointment of counsel, Ronald F. Turner is hereby appointed to represent appellant Todd Givens for the direct appeal in the above automatic appeal now pending in this court.

S174336 **VELASQUEZ ON REINSTATEMENT**

Petitioner reinstated

On the recommendation of the State Bar Court, the court orders that the petition for relief from suspension is granted and JOSE ANGEL VELASQUEZ, State Bar Number 112156, is entitled to resume the practice of law in California upon payment of all fees and costs that may be due.

S175082 **MACEACHERN ON REINSTATEMENT**

Petitioner reinstated

On the recommendation of the State Bar Court, the court orders that the petition for relief from suspension is granted and KELLY ANN WALLS MACEACHERN, State Bar Number 94069, is entitled to resume the practice of law in California upon payment of all fees and costs that may be due.

S173351

Petition denied

(accusation)

GIRAULT, ACCUSATION OF**S174564**

Petition denied

(accusation)

WELLS, ACCUSATION OF**S174645**

Petition denied

(accusation)

MAGNIA, ACCUSATION OF**S174660**

Petition denied

(accusation)

**BLACKMORE,
ACCUSATION OF****S174687**

Petition denied

(accusation)

KALIFON, ACCUSATION OF**S174713**

Petition denied

(accusation)

BIRMAN, ACCUSATION OF**S174720**

Petition denied

(accusation)

WRIGHT, ACCUSATION OF**S174895**

Petition denied

(accusation)

**CULLINAN, ACCUSATION
OF****S174923**

Petition denied

(accusation)

BURGESS, ACCUSATION OF**S174932**

Petition denied

(accusation)

UBA, ACCUSATION OF

S173481**HOLBROOK ON DISCIPLINE**

Petition for writ of review denied; disbarred

The petition for writ of review is denied.

The court orders that BRADLEY CHRISTOPHER HOLBROOK, State Bar Number 182234, is summarily disbarred from the practice of law and that his name is stricken from the roll of attorneys.

BRADLEY CHRISTOPHER HOLBROOK must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S173910**SCOTT ON DISCIPLINE**

Recommended discipline imposed

The court orders that ROBERT KINGSLEY SCOTT, State Bar Number 113605, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

ROBERT KINGSLEY SCOTT must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

A120629

First Appellate District, Div. 3

**PEOPLE v. ZAMBRANO
(RICARDO HUMBERTO)**

The above-entitled matter, now pending in the Court of Appeal, First Appellate District, is transferred from Division Three to Division Two.

